

Serial No. 10/729,399

REMARKS

This amendment is responsive to the office action dated April 30, 2004.

Claims 1-10 were pending in the application. Claims 1-10 were rejected. No claims were allowed by the Examiner.

By way of this amendment, the Applicant has not made any changes in the claims or the application. Claims 1-10 remain unchanged.

Accordingly, Claims 1-10 are currently pending.

I. **DOUBLE PATENTING REJECTION**

The Examiner has stated that claims 1-10 the present application correspond and conflict with claims 12-21 of pending Application No. 10/601,924. The Examiner stated that since these claims are identical in scope the claims must be eliminated from all but one application.

On December 5, 2003 the Applicant entered a response and amendment in the 10/601,924 application in response to a restriction requirement. In the response filed, the Applicant elected without traverse the invention identified as Group I and covered by Claims 1-11 for prosecution on the merits. Accordingly, the Applicant canceled Claims 12-21 from that particular application as being directed toward a non-elected invention. The Applicant then filed the present application, on the same day the response was filed, as a continuation-in-part of the 10/601,924 application, and incorporated the canceled claims, claims 12-21, as new claims 1-10 in the present application. Accordingly, there is no overlap or identity of claims between the 10/601,924 application and the present application. Withdrawal of this rejection is therefore respectfully requested.

II. **CONCLUSION**

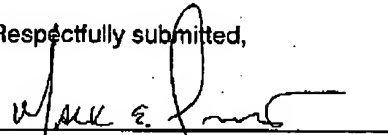
Accordingly, claims 1-10 are believed to be in condition for allowance and the application ready for issue.

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Corresponding action is respectfully solicited.

PTO is authorized to charge any additional fees incurred as a result of the filing hereof or credit any overpayment to our account #02-0900.

Respectfully submitted,



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